

EXHIBIT I

Dear Members of the Prison Board,

We are having a problem with the department sending officers to other institutions in which they are not familiar. These officers are being put in positions in which they have NEVER worked and are being put in very bad situations. To my knowledge, "Shut Down" and "Sick and Annual" positions are to be used WITHIN the institution. Sending an officer to another institution is NOT in any AR or NRS that I could find. I may be mistaken. Perhaps I missed something. If not, and if the department continues doing this, perhaps we need to establish procedures through an AR to govern this.

Policy and procedures, even jargon, differ from one prison to the next, making it difficult for staff to transition instantly. Staff cannot be trained and policy cannot be created so that officers can work any prison, anywhere in the state, like so many interchangeable parts. Each prison has its own culture, its own way of doing things. Officers naturally react by "instinct", which is honed over time and teaches by experience how an institution is run. They know their fellow officers, the inmates, the yard, and the flow of things, so if a situation arises they can respond quickly. They know where to go and what to do when they get there. But, if they are in an unfamiliar environment, as officers are when they are "loaned" to another institution, then the officers, the inmates, and even the institution are in danger.

An Officer from NSP can not open "NOTIS" at another institution and vise-versa. There are other issues as well. If an officer from NSP gets hurt while working at NNCC or WSCC, how will they do the workers comp? If an officer ends up in court with an incident that happened at NNCC or WSCC and he is on NSP's payroll, how will this play out? If an officer cannot access the computer system because he is at the wrong institution, is he responsible because he cannot do the count, maintain a shift log, or write an incident report? If an officer was not officially supposed to be on another yard in the first place, is this even legal?

The most important thing for Officers is to clear count, I sure would not like to find that I entered a count for some one else when it was not conducted properly. If an event is not recorded (INCIDENT REPORT ON NOTIS) it never happened.

Officers use NOTIS to find out about incidents that occurred during the day at their assigned Institutions and the incident history on some Inmates and in their units to make sure that they take appropriate steps to be safe. This will not be possible if working at other Institutions.

Every C/OT has his "first day", but a rookie is never put in charge of a housing unit or other major part of an institution. That rookie is assigned to an experienced officer who trains him, and he improves as he learns. He is not put in a place he has never even seen before and be expected to function. I could go on forever about this, but it is a HUGE safety and security concern the other officers and I have. The department is putting cost savings over safety and security. This practice of putting officers in unfamiliar positions leaves the door wide open for human error and opportunistic inmates.

It's only a matter of time before something happens. Loaning officers is a VERY dangerous practice. Officers are being put in unfamiliar positions to "satisfy staffing needs" without hiring overtime. Seasoned officers from one institution are being assigned to work in positions with brand new trainees at another institution, and sometimes neither one knows what is going on. Even worse, sometimes officers are being put in unfamiliar units or gun-posts alone (I have specific incidents of the dept. doing both of these recently). If an incident happens, these officers are expected to somehow re-act quickly and knowledgeably to control the situation.

I read over AR 325 - Security Staffing, NRS 209.131 and NRS 284.180 (which gives AR 325 its authority), and NAC 284.394 and this is all I could find. If I am not mistaken, this is the only law that gives them the "authority" to transfer/re-assign us to another institution within the same geographical region... If my interpretation is correct, it looks like a "Bona fide emergency" must exist, and they also need approval from the Personnel Dept. Also, what is the actual meaning or what constitutes an "EMERGENCY" for the institution? Shift commanders and administrators abuse this term to by-pass some procedures and fall below minimum staffing, pull and send officers to other institutions.

NAC 284.394 Transfers initiated by appointing authorities. (NRS 284.065, 284.155, 284.375)

1. Except as otherwise provided in subsection 2, an appointing authority may, after giving 5 working days' notice, transfer for the convenience of this State any employee to another position in:

(a) The same class; or

(b) A comparable class with the approval of the Department of Personnel.

2. The notice required by subsection 1 need not be given if the transfer does not exceed 10 working days. If a bona fide or justifiable emergency exists, a transfer may be made immediately with the prior approval of the Department of Personnel.

3. A transfer pursuant to this section must not be made to harass or discipline an employee.

4. A permanent employee who is required to transfer to a different geographical location and who declines the transfer has the same rights provided in NAC 284.630 as an employee who is laid off.

5. If an employee requests a hearing to appeal an involuntary transfer pursuant to NRS 284.376, the appointing authority may temporarily assign the employee, on a per diem basis, to transfer pending disposition of the appeal. The employee may request leave pursuant to NAC 284.589 to prepare for the hearing relating to the involuntary transfer.

6. As used in this section, "geographical location" has the meaning ascribed to it in NAC 284.612.

Thank you.